

*REMARKS/ARGUMENTS**The Present Invention and the Pending Claims*

Claims 1-17 are pending in the application. Claims 1-7, 16, and 17 are under examination and are directed to a plate for mass spectrometry (claims 1, 2, and 16) and a method of preparation thereof (claims 3-7 and 17). Claims 8-15 have been withdrawn from examination as directed to non-elected subject matter in response to the restriction requirement.

Summary of the Claim Amendments

Claims 1 and 3 have been amended to recite that the support shaped to fit the sample inlet of a mass spectrometer and that the coating is applied on the whole surface of the support. This amendment is supported by the specification at, for example, page 7, lines 7-16, and page 8, lines 29-30. New claims 16 and 17 have been added, as supported by the specification. Claims 16 and 17 should be examined with claims 1-7 because new claims 16 and 17 depend on claims 1 and 3, respectively, of the elected group of claims and are directed to the same subject matter of the elected group of claims. No new matter has been added by way of these amendments.

Information Disclosure Statement

The Examiner acknowledged receipt of the Information Disclosure Statement (IDS) that was filed on October 27, 2006. The Form PTO-1449 attached to the Office Action acknowledges consideration of references AA-AX, BH, BK, BL, BS, and BW.

Applicants note, however, that the Examiner crossed out references AY-BG, BI, BJ, BM-BR, BT-BV, and BX-CL on the Form PTO-1449 attached to the Office Action. References AA-BJ and BM-CL were previously made of record in the parent applications of the present application, and Applicants did not submit copies of the references with the IDS, so as not to burden the file of the present application. After one of Applicants' representatives discussed the issue with the Examiner, the Examiner indicated that he would

review the copies of these references in the files of the parent applications. Thus, Applicants hereby request that the Examiner consider references AY-BG, BI, BJ, BM-BR, BT-BV, and BX-CL and return to Applicants an Examiner-initialed PTO-1449 form to confirm the consideration of these references.

Summary of the Office Action

The restriction requirement has been maintained. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Koblitz et al. (U.S. Patent 3,324,069). Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshimura et al. (U.S. Patent 5,130,201). Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Usui (GB 2292699). Reconsideration of the pending claims is hereby requested.

Discussion of the Restriction Requirement

The Examiner acknowledges Applicants' election with traverse of Group I but has maintained the restriction requirement.

In response, claims 8-15 have been labeled as "Withdrawn," as directed to non-elected subject matter. Claims 8-15 recite a method of using a plate for mass spectrometry as recited in claims 1-7. Applicants request that withdrawn claims 8-15 be rejoined for examination upon an indication that claim 1 is allowable because claims 8-15 are drawn to a method of using a plate for mass spectrometry, as recited in claim 1.

Discussion of the Anticipation Rejections

Claims 1-7 allegedly are anticipated by each of Koblitz et al., Yoshimura et al., and Usui. Each of the cited references allegedly discloses a stainless steel or aluminum plate comprising a support and a coating that comprises polyvinylidene difluoride (PVDF).

Koblitz et al. discloses a PVDF-containing composition for coating a substrate, in which the coating is tough and abrasion resistant (see Examples 1-12). Yoshimura et al. discloses a corrosion resistant coating comprising PVDF. The coating can be used for

buildings, automobiles, bicycles, etc. (col. 4, lines 42-53). Usui discloses a coated metal tube useful as pipelines for brake oil or fuel in automobiles (page 1, lines 5-12).

Thus, it is readily apparent that the supports disclosed by Koblitz et al., Yoshimura et al., and Usui are not for mass spectrometry. However, the Examiner does not view the claimed subject matter as directed to a product to be used in a mass spectrometer because the Examiner contends that the phrase “for mass spectrometry” in the examined claims does not carry patentable weight in the absence of specific structural limitations recited in the claims.

While Applicants disagree with the Examiner’s contention, Applicants nevertheless have amended the claims as suggested by the Examiner. In particular, the claims have been amended to recite that the support is shaped to fit the sample inlet of a mass spectrometer. Since each of Koblitz et al., Yoshimura et al., and Usui fails to disclose or suggest the use of a PVDF-coated plate for mass spectrometry, these references do not anticipate the subject matter of the amended claims.

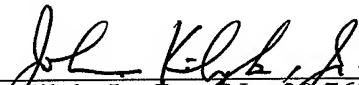
Moreover, one of ordinary skill in the art would have had no credible reason to modify the support in any of the cited references in the manner necessary to provide the support of the amended pending claims because the utility of the support described in Koblitz et al., Yoshimura et al., and Usui differs greatly from use of the support in the context of providing a plate for mass spectrometry. In the absence of such a credible reason, subject matter of the pending claims must be considered unobvious in view of Koblitz et al., Yoshimura et al., and Usui.

Furthermore, in addition to reciting that the support is shaped to fit the sample inlet of a mass spectrometer, new claims 16 and 17 require that the recited coating consists essentially of PVDF. In contrast, the coatings disclosed in Koblitz et al. and Yoshimura et al. contain substances *other than* PVDF, such as acrylate polymer and epoxy resin. These components materially affect the coating, for example, by improving the resistance to chemicals or the adhesiveness to the support, such that one of ordinary skill in the art would have no credible reason to remove these additional substances. Thus, the subject matter of claims 16 and 17 is even further removed from the disclosures of the cited references.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



John Kilyk, Jr., Reg. No. 30,763
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6731
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

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